

## FL Assumption ESA meeting

Feb 18, 2020

Attendees: Kelly Laycock (EPA), Heather Mason (FDEP), Heath Rauschenberger (USFWS), Jennifer Goff (FWC), Jason Hight(FWC), Dean Goodin (GHD) Ken Mierzwa (GHD), Mary Duncan (FDEP), Doug Beason (FDEP), Stephanie Gray (FDEP). On the Phone/webinar: Kathy Hurl (EPA), Alexis Wade (EPA), Kavita Nagrani (EPA), Matt Hicks (EPA), Jay Herrington (USFWS), additional GHD staff

## Summary

FDEP held a meeting in Tallahassee to discuss assumption updates and draft Biological Assessment (BA). FDEP opened the meeting by informing everyone the NOPR was to be published on 2/19/20. FDEP indicated that if there were no challenges EPA should expect a 404 assumption package in 3 months. There was brief discussion of the 404 Handbook. USFWS staff had comments on the handbook suggesting the addition of references to the *USACE Source Book* and the *Memorandum of Agreement Between the Environmental Protection Agency, Fish and Wildlife Service and National Marine Fisheries Service Regarding Enhanced Coordination Under the Clean Water Act and Endangered Species Act* to 1.3.3 Endangered Species Authorizations. FWC staff voiced concerns of not yet seeing the rule or the 404 Handbook and their ability to coordinate comments without requiring official letter in the 21-day comment period.

GHD staff lead the discussion of the draft BA, indicating it would very closely follow the format of the 316b BA. The draft BA will be submitted to FDEP on 2/24/20 and FDEP indicated they would quickly forward this to the Services, FWC, and EPA. They've asked that agencies submit comments on the draft within 30 days of receipt. EPA would additionally have an opportunity to comment during the March 4/5 face to face meeting scheduled in Tallahassee.

## Considerations

EPA Staff on the call, had a follow-up call to discuss what was presented and to identify issues we would need to carefully review as the BA came forward to us. The potential issues flagged include:

# Ex. 5 Deliberative Process (DP)

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